

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MASSACHUSETTS INSTITUTE)	
OF TECHNOLOGY,)	
)	
Plaintiff,)	CIVIL ACTION
v.)	NO. 05-10990-DPW
)	
HARMAN INTERNATIONAL)	
INDUSTRIES, INC.,)	
)	
Defendant.)	

FURTHER ORDER ON DISCOVERY

Following a telephone conference, it is hereby ordered as follows:

1. By April 21, 2006, Harman will confirm that it is producing all Exceptions Files and all e-mail communications from the 14 current or former employees as directed by this court's orders of March 20, 2006 and April 5, 2006, as well as the responsive documents relating to the 2 recently identified products (collectively referred to as the "Documents").

2. By April 24, 2006, Harman shall deliver the Documents to MIT's counsel in a searchable form. The production shall be subject to and without waiver of the attorney-client privilege as discussed below.

3. By May 8, 2006, Harman shall identify all documents for which it is claiming attorney-client privilege, and MIT shall destroy and/or return all copies of said documents. In the event that Harman later identifies additional documents which it

claims are privileged, it may seek to establish that the privilege was not waived for such documents, and that they were produced inadvertently and despite Harman's best efforts to identify all privileged documents by May 8, 2006. In the event that the court concludes that the privilege was waived for any later identified document, the waiver shall be limited to the specific document and shall not be a subject matter waiver.

4. The depositions in Germany shall be rescheduled to the week of May 22, 2006.

Judith Gail Dein
United States Magistrate Judge

DATED: April 19, 2006